

Attorney Docket No. 233-583-USP

REMARKS/ARGUMENTS

This Amendment is submitted in response to the Examiner's Office action dated February 23, 2006. Claims 51, 52, 56-63, 67, 68, 71-77, and 79-88 are pending. Claims 1-54, 57-63, 67, 68, 71-77, 79 and 80 stand rejected. Applicants have canceled rejected claims 1-50, 53-55, 64-68, 69, 70, and 78 without prejudice. Applicants expressly reserve the right to continue prosecution of these claims in a continuing application.

Claims 55, 56, 64-68, 69, 70 and 78 have been objected to as being dependent upon a rejected base claim but the Examiner has indicated that they would be allowable if rewritten in independent form, including all of the limitations of the base claims and any intervening claims. As the Examiner suggested, the limitations of claims 55, 56, 64-68, 69, 70 and 78 and their intervening claims have been added to independent claim 51 or new independent claims 81, 84, and 88. No new matter has been added.

Claim Objections

The Examiner objected to claim 51 because it contains a purported informality. Specifically, the Examiner stated that, "[c]laim 51 recites "a packet" in line 1 and "a packet" in line 2. The Examiner suggested to change the "a packet" either in line 1 or 2" for clarity. See 2/23/06 office action, p. 2.

Applicants amended claim 51 to recite "a packet" in line 1 and "the packet" in line 2 to satisfy the Examiner. Applicants submit that claim 51 has been amended to correct the purported informality, and thus claim 51 is now in condition for allowance.

Rejections Under 35 USC 102(e)

Claims 1, 15, 25, 35, 51-54, 57, 58, 71, 73, and 74 stand rejected under 35 USC 102(e) as being anticipated by Zedikian (U.S. Pat. No. 6,724,757). Claims 1, 15, 25, 35, 53, 54 have been canceled without prejudice to obtain issuance of claims previously indicated as allowable. Applicants expressly reserve the right to continue prosecution of these claims in a continuing application. Thus, the rejection of canceled claims 1, 15, 25, 35, 53, 54 is now moot.

Claim 51 has been amended herein to incorporate the limitations of claim 55 and any intervening claims. Applicants submit that amended claim 51 is now in condition for allowance because it has been amended to incorporate the limitations of claim 55, which the Examiner already indicated would be allowable if rewritten in independent form. Dependent claims 52, 57, 58, 71, 73, and 74 depend from amended claim 51 and are likewise in condition for allowance. Accordingly, Applicants request the Examiner to reconsider and

Attorney Docket No. 233-583-USP

withdraw the rejection of claims 51, 52, 57, 58, 71, 73, and 74 and to allow claims 51, 52, 57, 58, 71, 73, and 74.

Rejections Under 35 USC 103(a)

Claims 2-9, 16-19, 26-27, 29, and 60 stand rejected under 35 USC 103(a) as being unpatentable over Zadikian (U.S. Pat. No. 6,724,757) variously in view of Chiu (U.S. Pat. No. 6,597,689), or Miles (U.S. Patent No. 6,665,485), or Pandya (U.S. Pat. No. 6,792,502), or Boucher (U.S. Pat. No. 6,427,173), or Berman (U.S. Pat. No. 6,904,053), or Sindh (U.S. Pat. No. 5,905,725), or Wilkins (Appl'n No. 2005/0050240), or Sheets (Appl'n No. 2005/0182838), or Leiber (U.S. Pat. No. 6,658,504), or Khacherian (U.S. Pat. No. 6,542,507).

Claims 2-9, 16-19, 26-27, and 29 have been canceled without prejudice to obtain issuance of claims previously indicated as allowable. Applicants expressly reserve the right to continue prosecution of these claims in a continuing application. Thus, the rejection of canceled claims 2-9, 16-19, 26-27, and 29 is now moot.

Applicants submit that dependent claim 60 is now dependent from an amended claim 51, which has been amended to include limitations of claim 55 and its intervening claims. The Examiner has indicated that amended claim 51 would thus be allowable. Accordingly, Applicants request the Examiner to reconsider and withdraw the rejection of claim 60 and to allow claim 60 for at least for the reason that it depends from allowable amended claim 51.

Allowable Subject Matter

Claims 55, 56, 64-66, 69, 70 and 78 have been objected to as being dependent upon a rejected base claim, but the Examiner has indicated that they would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims. See 2/23/06 Office Action, p. 35.

Applicants have amended independent claim 51 and added new independent claims 81, 84, and 86 to include all of the limitations of claims 55, 56, 64-66, 69, 70 and 78 and any intervening claims. Specifically, the limitations of claim 55 have been incorporated into claim 51, and claim 55 has been canceled. Additionally, claim 56 has been amended to properly depend from claim 51. Claims 52, 57-63, 67, 68, 71-77, 79, and 80 remain dependent upon amended claim 51, which the Examiner has indicated would be allowable if rewritten to include the limitations of claim 55 and any intervening claims. Accordingly, Applicants request the Examiner to reconsider and withdraw the rejection of claims 52, 56-63, 67, 68, 71-77, 79, and 80 and to allow claims 52, 56-63, 67, 68, 71-77, 79, and 80 for at least the reason that they depend from an allowable amended claim 51.

Attorney Docket No. 233-583-USP

Claims 64-66 have been canceled herein, and new claims 81-83 have been added to include all of the limitations of claims 64-66. Claims 69 and 70 have been canceled, and new claims 84 and 85 have been added to include all of the limitations of claims 69 and 70 and any intervening claims. Finally, claim 78 has been canceled, and new claim 86 has been added to include all of the limitations of claim 78 and any intervening claims.

Applicants believe that amended claims 51 and 56, dependent claims 52, 56-63, 67, 68, 71-77, 79, and 80, and new claims 81-86 are allowable because they include the limitations of former claims 51, 64-66, 69, 70 and 78, which the Examiner has already indicated would be allowable if rewritten in independent form. Accordingly, Applicants request the Examiner to reconsider and withdraw the rejections of claims 51, 52, 56-63, 67, 68, 71-77, 79, and 80, and to allow claims new claims 51, 52, 56-63, 67, 68, 71-77, and 79-86.

CONCLUSION

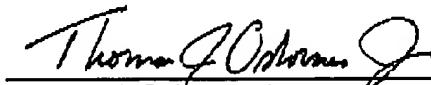
Claims 51, 52, 56-63, 67, 68, 71-77, and 79-86 are pending in the application. Applicants believe that the pending claims are in condition for allowance. Prompt issuance of a Notice of Allowance is earnestly solicited.

If the Examiner should require any additional information or believes that any additional issues may be resolved by a telephone conference, please contact the undersigned attorney.

The Applicant believes no fees or petitions are due with this filing. However, should any such fees or petitions be required, please consider this a request therefore and authorization to charge Deposit Account No. 50-3199 as necessary.

Dated: April 24, 2006.

Respectfully submitted,



Thomas J. Osborne, Jr.
Registration No. 39,796
Attorney for Applicant
USPTO Customer No. 48929

Hensley Kim & Edgington, LLC
1860 Lincoln Street, Suite 3050
Denver, Colorado 80264
Tel: 720-377-0770
Fax: 720-377-0777